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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SIERRA CLUB,)	No. C 06-5288 MHP
)	
Plaintiff,)	NOTICE OF STIPULATED
)	EXTENSION TO CONSENT DECREE
v.)	DEADLINE
)	
UNITED STATES ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Defendant.)	
)	

Paragraph 5 of the Consent Decree entered in this case provides that the deadlines in paragraphs 2 and 3 of the Consent Decree may be extended by written stipulation of the parties to the Consent Decree filed with the Court. No action by the Court is required for such an extension.

The parties have agreed that it is appropriate to extend the deadline in paragraph 3 of the Consent Decree until June 6, 2010.^{1/} Accordingly, pursuant to paragraph 5 of the Consent Decree, defendant United States Environmental Protection Agency (“EPA”) and plaintiff Sierra Club hereby stipulate to an extension of the deadline in paragraph 3 of the Consent Decree for EPA to sign a final rule containing revisions to NSPS subpart F pursuant to Clean Air Act (“CAA”) section 111(b)(1)(B) and/or a final determination under CAA section 11(b)(1)(B) not to revise NSPS subpart F from October 30, 2009 to June 6, 2010. The purpose of this extension is to allow EPA to coordinate the promulgation of the standards required under CAA section

^{1/} The parties previously stipulated to extensions of the deadline in paragraph 3 from May 31, 2009 to October 30, 2009.

111(b)(1)(B), 42 U.S.C. § 7411(b)(1)(B), with standards the Agency is required to promulgate for the same category of sources under CAA section 112(d)(6), 42 U.S.C. § 7412(d)(6).

Respectfully submitted this 7th day of October, 2009.

FOR DEFENDANT EPA:

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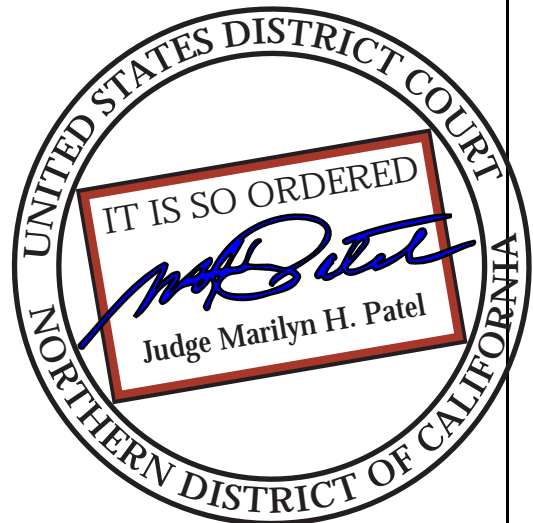
Dated: October 7, 2009

FOR PLAINTIFF SIERRA CLUB:

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10/8/09



CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed electronically using the Court's ECF system. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt.

October 7, 2009

/S/ Norman L. Rave, Jr.
Norman L. Rave, Jr.